

EXHIBIT “A”
Joseph Cuiello
Transcript

Deposition Transcript

Case Number: 3:23-cv-01652-VC

Date: February 20, 2024

In the matter of:

CUVIELLO, et al. v ROWELL RANCH
RODEO, INC., et al.

JOSEPH CUVIELLO

**CERTIFIED
COPY**

Reported by:

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JOSEPH CUVIELLO
FEBRUARY 20, 2024

JOB NO. 843103

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOSEPH P. CUVIELLO and)
DENIZ BOLBOL, individually)
)
Plaintiffs,)
)
vs.) Case No. 3:23-cv-01652-VC
)
ROWELL RANCH RODEO, INC.,)
HAYWARD AREA RECREATION AND)
PARK DISTRICT, HAYWARD AREA)
RECREATION AND PARK DISTRICT)
PUBLIC SAFETY MANAGER KEVIN)
HART, and DOES 1 and 2, in)
their individually and)
official capacities, jointly)
and severally,)
)
Defendants.)
_____)

VIDEOTAPED DEPOSITION OF JOSEPH CUVIELLO, taken
at 180 Montgomery Street, Suite 1200, San Francisco,
California on Tuesday, February 20, 2024, at 9:09 A.M.,
before April Wood Brott, Certified Shorthand Reporter
Number 13782, in and for the State of California.

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JOSEPH CUVIELLO
FEBRUARY 20, 2024

JOB NO. 843103

09:25:37 1 Q. And do you consider yourself well-versed in
09:25:40 2 what police officers need to do to set up a free
09:25:44 3 speech zone?

09:25:45 4 A. No.

09:25:45 5 Q. Okay. Do you consider yourself well-versed
09:25:48 6 in what police officers are to say to you when they
09:25:54 7 intend to enforce the law when you're protesting?

09:25:59 8 A. Enforce the law. That's a tricky one.

09:26:03 9 Q. Let me rephrase that.

09:26:04 10 Do you -- are you familiar with what
09:26:05 11 language they must use to tell you you're under
09:26:08 12 detention or arrest?

09:26:09 13 A. There's no set language. It can be
09:26:18 14 intimated, from the case law I've read. So there's
09:26:21 15 no set language. But I'm familiar with language
09:26:24 16 that has been used to me in the past.

09:26:27 17 Q. Let's talk about that. What language has
09:26:34 18 been used in the past when you have been arrested?

09:26:38 19 A. Sometimes no language at all. It's just
09:26:41 20 been actions.

09:26:43 21 Q. Such as?

09:26:44 22 A. Such as "Put your hands behind your back"
09:26:46 23 and "You're under arrest."

09:26:51 24 Q. Now, you just said, "and you're under
09:26:53 25 arrest." Have you -- that's actually a statement

JOSEPH CUVIELLO
FEBRUARY 20, 2024

JOB NO. 843103

09:27:59 1 A. No. I can't recall specific language for
09:28:01 2 each one. I just can't do that.

09:28:08 3 Q. Can you recall the protests where you were
09:28:13 4 put in handcuffs?

09:28:14 5 A. Yes.

09:28:14 6 Q. Can you list them for us?

09:28:16 7 A. One was Universal Circus, Oakland. I think
09:28:22 8 it was about 2001. One was Ringling Brothers
09:28:28 9 Circus, Oakland, 2005. Ringling Brothers Circus
09:28:35 10 again, Oakland, 2008. Carson & Barnes Circus at Cal
09:28:42 11 Expo -- I think it was 2011.

09:28:44 12 Q. Is that Cal Expo Sacramento?

09:28:45 13 A. Cal Expo Sacramento. And those were the --
09:28:51 14 there were a couple in Berkeley in the 80s, early
09:28:54 15 90s, if you want those too.

09:28:57 16 Q. Let's just work with the four that you
09:28:59 17 named.

09:29:00 18 Universal Circus Oakland -- was that
09:29:03 19 Oakland PD, or was that Alameda SO?

09:29:06 20 A. Oakland PD.

09:29:08 21 Q. And Ringling Brothers/Barnum & Bailey in
09:29:11 22 Oakland?

09:29:11 23 A. Oakland PD.

09:29:13 24 Q. And the Ringling Brothers/Barnum & Bailey
09:29:13 25 in 2008?

JOSEPH CUVIELLO
FEBRUARY 20, 2024

JOB NO. 843103

09:33:22 1 San Francisco police officers that engaged with you
09:33:25 2 -- is that correct?

09:33:25 3 A. Yes.

09:33:26 4 Q. And can you tell us what happened in that
09:33:28 5 incident?

09:33:28 6 A. We were -- a couple of us were holding a
09:33:33 7 banner, and some of the people were walking through
09:33:40 8 the crowd with signs and leaflets to hand out
09:33:43 9 information, and we were -- as you're looking at the
09:33:45 10 stage, we were on the left side of the stage, and --
09:33:47 11 the banner holder was on the left side of the stage.

09:33:50 12 Q. So not in the free speech zone?

09:33:53 13 A. No, no one was in the free speech zone.

09:33:56 14 And the police came over and told us that we had to
09:34:02 15 be in the free speech zone, and we said, "No, this
09:34:04 16 is a public forum," and they ended up citing us, and
09:34:08 17 then we went in the free speech zone.

09:34:10 18 Q. Okay. So no one was in the free speech
09:34:14 19 zone, and two officers approached you. And who was
09:34:16 20 with you?

09:34:17 21 A. Deniz was with me, and another guy, Alex
09:34:21 22 Felsinger, and there were some other people. I
09:34:24 23 don't remember who. There were a couple other
09:34:24 24 people.

09:34:24 25 Q. Okay. And the officers -- can you tell us

JOSEPH CUVIELLO
FEBRUARY 20, 2024

JOB NO. 843103

09:34:27 1 what the officers said to you about -- did they tell
09:34:30 2 you you had to go to the free speech zone?

09:34:33 3 A. I believe so. My recollection is I believe
09:34:35 4 so. That's what they said.

09:34:36 5 Q. And what did you say?

09:34:37 6 A. We said, "No. This is a whole public forum
09:34:41 7 area, and we're not going to do that."

09:34:43 8 Q. Okay. And did they say anything about
09:34:45 9 arresting you?

09:34:45 10 A. They did, yes.

09:34:46 11 Q. Okay. Did you ask them if they were going
09:34:49 12 to arrest you?

09:34:50 13 A. I don't recall specifically, but I may
09:34:52 14 have.

09:34:53 15 Q. Okay. And the officer told you they were
09:34:55 16 going to arrest you?

09:34:56 17 A. Yes.

09:34:57 18 Q. And what did he say? What did one or both
09:35:01 19 say?

09:35:01 20 A. I don't recall specifically, but it ended
09:35:05 21 up where we got cited, a citation. There was no
09:35:09 22 physical custody. It was a citation.

09:35:15 23 Q. But you were put on notice. You were told
09:35:18 24 in some form -- the words were "You're going to be
09:35:21 25 arrested if you don't go to the free speech zone"?

JOSEPH CUVIELLO
FEBRUARY 20, 2024

JOB NO. 843103

09:35:23 1 A. Yes, if we continued to exercise our free
09:35:27 2 speech. If we didn't continue to exercise our
09:35:31 3 freedom of speech, of course we wouldn't have been
09:35:33 4 arrested.

09:35:33 5 Q. So I just want to drill down on that a
09:35:35 6 little bit to make sure I got a clear record.

09:35:38 7 Did they tell you you had to go to the free
09:35:41 8 speech zone?

09:35:41 9 A. Yes.

09:35:41 10 Q. And then what did you say to them?

09:35:44 11 A. I don't recall specifically. Again, I can
09:35:45 12 just --

09:35:45 13 Q. As best you remember.

09:35:47 14 A. The gist of it was, "No. This is a public
09:35:50 15 forum, and that's illegal, so we're not going to do
09:35:53 16 that."

09:35:53 17 Q. Okay. Do you remember what the officer
09:35:55 18 then said?

09:35:56 19 A. I don't recall specifically, but what I do
09:35:59 20 recall is the whole wrap-up of it was we could be
09:36:02 21 arrested, and he gave us a citation, and if we
09:36:07 22 continued to do it, they would take us into custody
09:36:10 23 was my impression, and so we went into the free
09:36:14 24 speech zone after that.

09:36:17 25 Q. I know you're summarizing by your best

JOSEPH CUVIELLO
FEBRUARY 20, 2024

JOB NO. 843103

09:36:19 1 memory. Do you recall whether there was any body
09:36:22 2 camera footage that was involved in that case?

09:36:24 3 A. From the officers?

09:36:25 4 Q. Yes.

09:36:26 5 A. I don't remember any body camera footage at
09:36:31 6 that time.

09:36:31 7 Q. Okay. And if I understand correctly, what
09:36:34 8 you're telling me is that at the point that you said
09:36:36 9 you're going to exercise your free speech rights --
09:36:39 10 and I'm paraphrasing -- the officers did say or an
09:36:43 11 officer did say you could be arrested?

09:36:46 12 A. I don't know "could," but my whole
09:36:48 13 impression of the whole thing -- I mean, it was a
09:36:50 14 long time ago. It was, like -- I don't remember --
09:36:53 15 2012, 2013, something.

09:36:54 16 Q. Judge Chen ruled on this in 2013, as I
09:36:58 17 recall.

09:36:58 18 A. Okay. Yeah, something like that. So I
09:37:00 19 don't remember the exact words, but the whole thing
09:37:03 20 was we would be arrested if we didn't go to the free
09:37:07 21 speech zone. We ended up getting cited, and we
09:37:09 22 ended up going to the free speech zone. That was
09:37:10 23 the whole process.

09:37:16 24 Q. In the form of giving you a citation, did
09:37:19 25 you understand that was a detention and an actual

JOSEPH CUVIELLO
FEBRUARY 20, 2024

JOB NO. 843103

09:37:22 1 arrest under the Fourth Amendment?

09:37:24 2 A. Yes, I did.

09:37:26 3 Q. Okay. And then the subsequent

09:37:30 4 comments/admonishments/threats were that if you

09:37:35 5 didn't go to the free speech zone, you could

09:37:38 6 actually be taken into custody and transported into

09:37:42 7 jail?

09:37:42 8 A. That's what I remember.

09:37:43 9 Q. Okay. So let me take you to the Vallejo

09:37:55 10 case. That was a protest at Six Flags?

09:37:59 11 A. Yes.

09:38:00 12 Q. And that protest also involved animal

09:38:02 13 rights issues?

09:38:03 14 A. Yes.

09:38:03 15 Q. And in that protest, did it involve a free

09:38:07 16 speech zone?

09:38:07 17 A. No.

09:38:07 18 Q. As I understand it, it involved you using a

09:38:11 19 bullhorn or some kind of magnifying -- an amplifier

09:38:15 20 of some kind?

09:38:16 21 A. Yes.

09:38:17 22 Q. When -- in that case, can you tell us what

09:38:21 23 you were doing when the officer approached you?

09:38:22 24 A. I was speaking through a bullhorn at the

09:38:27 25 crowd.

JOSEPH CUVIELLO
FEBRUARY 20, 2024

JOB NO. 843103

09:40:50 1 there was a -- I believe there was a Fourth
09:40:51 2 Amendment allegation in there too.

09:40:54 3 Q. So I'm going to tell you what I understand
09:40:56 4 from reading --

09:40:57 5 A. Sure.

09:40:58 6 Q. -- reports on that, was that you brought
09:40:59 7 the suit against the City for having an ordinance
09:41:03 8 barring the use of a bullhorn or amplified -- an
09:41:11 9 amplifier, anywhere in the city of Vallejo if you
09:41:17 10 don't get a permit first?

09:41:18 11 A. Yes.

09:41:20 12 Q. And as I understand it, that case settled?

09:41:23 13 A. Yes.

09:41:23 14 Q. It did not get to a trial?

09:41:26 15 A. No.

09:41:26 16 Q. Okay. Are those all the incidents with law
09:41:48 17 enforcement where they either arrested you or, in
09:41:53 18 this case, warned you about use of an amplifier at a
09:42:00 19 protest?

09:42:00 20 A. I'm not sure. Were those -- what do you
09:42:04 21 mean those?

09:42:04 22 Q. Yeah. Let me back up.

09:42:05 23 A. Yeah.

09:42:06 24 Q. Let me back up because you listed four, to
09:42:08 25 the best of your memory, since 2000. So let's put

JOSEPH CUVIELLO
FEBRUARY 20, 2024

JOB NO. 843103

09:42:12 1 prior to 2000 out of the equation.

09:42:14 2 A. Four --

09:42:15 3 Q. Four times you were actually put in
09:42:17 4 handcuffs.

09:42:18 5 A. Yes.

09:42:18 6 Q. Three of the four, you do recall they
09:42:22 7 warned you that you would be arrested?

09:42:25 8 A. Four. No, I didn't say that. I don't
09:42:26 9 recall saying that. Three of the four.

09:42:28 10 Q. Let me go back through it then.

09:42:30 11 A. Yeah.

09:42:31 12 Q. So the protest Universal Circus in Oakland
09:42:35 13 in 2001, you were put in handcuffs, and you believe
09:42:40 14 you were told you were under arrest because the only
09:42:45 15 one you remember there was no warning --

09:42:47 16 A. I don't --

09:42:47 17 Q. -- was 2008?

09:42:47 18 A. I don't recall exactly what he said. This
09:42:51 19 is what I recall: I was -- we were in the street,
09:42:56 20 and he was -- and I was telling him something was
09:43:00 21 going on, and he just said, "Get out of the street,
09:43:02 22 or I'm going to arrest you," and I said, "What for?"
09:43:06 23 And he just arrested me.

09:43:07 24 Q. Okay. So there was a warning?

09:43:09 25 A. Yes.

JOSEPH CUVIELLO
FEBRUARY 20, 2024

JOB NO. 843103

09:43:10 1 Q. Okay. In the 2005 Ringling Brothers
09:43:15 2 arrest?
09:43:16 3 A. Definitely a warning.
09:43:17 4 Q. Warning.
09:43:21 5 A. Yeah.
09:43:21 6 Q. And the warning incorporated the word
09:43:24 7 "arrest"?
09:43:24 8 A. I don't recall, but it may have.
09:43:26 9 Q. Okay. In the 2008, there was no warning --
09:43:30 10 A. No warning.
09:43:31 11 Q. -- and you were arrested and taken to a
09:43:33 12 facility and cited out?
09:43:34 13 A. Yes.
09:43:34 14 Q. In the Cal Expo case, do you recall being
09:43:39 15 warned?
09:43:41 16 A. No. I recall them just coming up to us as
09:43:44 17 we were leaving and arresting us.
09:43:46 18 Q. Okay. And what was the reason for the
09:43:52 19 arrest in that case?
09:43:53 20 A. It was illegal, so there was no reason.
09:43:57 21 Q. Well, they have to give you a reason --
09:43:59 22 A. Oh, I see. They told us we were
09:44:03 23 trespassing.
09:44:04 24 Q. Trespassing. Okay. You don't recall any
09:44:06 25 warning prior to that?

JOSEPH CUVIELLO
FEBRUARY 20, 2024

JOB NO. 843103

09:44:07 1 A. When we first showed up, one of the
09:44:11 2 officers told us we couldn't go on the property, and
09:44:14 3 we said no. It's a public forum, and we went on
09:44:17 4 there, and then as we were leaving after the arrest
09:44:19 5 is when they arrested us.

09:44:19 6 Q. So --

09:44:20 7 A. After -- when we were leaving after the
09:44:25 8 protest.

09:44:26 9 Q. I understand.

09:44:26 10 In the 2001 case, it was a warning to get
09:44:29 11 out of the street, right?

09:44:30 12 A. Yes.

09:44:30 13 Q. In the 2005 case -- I didn't ask you
09:44:33 14 this -- what you were you doing at the time you were
09:44:37 15 warned and then placed under arrest?

09:44:39 16 A. I was video recording the animals in the
09:44:42 17 compound from a landing at the Oakland arena.

09:44:46 18 Q. Okay. Did those four cases result in
09:44:49 19 lawsuits?

09:44:49 20 A. Yes.

09:44:54 21 Q. All right. Let me take you up to Rowell
09:45:05 22 Ranch.

09:45:05 23 When did you first start protesting at
09:45:08 24 Rowell Ranch?

09:45:11 25 A. I think it was in the late 80s, maybe the

JOSEPH CUVIELLO
FEBRUARY 20, 2024

JOB NO. 843103

09:48:43 1 Is that your memory?

09:48:45 2 A. Yes.

09:48:49 3 Q. Okay. Did anyone wearing a Hayward Area
09:48:52 4 Recreation and Park shirt, something that designated
09:48:56 5 them as an employee of HARD, interact with you
09:48:59 6 pre-COVID about a free speech area?

09:49:03 7 A. I don't recall anyone looking like they
09:49:05 8 were from HARD.

09:49:05 9 Q. Okay. In the past, in any of your
09:49:07 10 demonstrations and activism, have you ever
09:49:10 11 interacted with law enforcement prior to an event to
09:49:13 12 let them know you're coming out and find out if
09:49:16 13 there's any free speech zone area set up?

09:49:20 14 A. I've interacted with law enforcement, not
09:49:22 15 to find out about any free speech area; just to let
09:49:23 16 them know we're coming out and to let them know what
09:49:26 17 we believe our rights are and what we expect our
09:49:27 18 rights to be upheld.

09:49:29 19 Q. Okay. Did you have any interaction with
09:49:33 20 the Hayward Area Recreation and Park District that
09:49:37 21 you were coming out to protest at the rodeo anytime
09:49:40 22 prior to 2022?

09:49:41 23 A. I don't recall specifically. I don't
09:49:43 24 remember if I did or not.

09:49:44 25 Q. Okay. In any of the conversations you had

JOSEPH CUVIELLO
FEBRUARY 20, 2024

JOB NO. 843103

09:55:24 1 A. Prior to Kuba, yes.

09:55:26 2 Q. All right. And did you ever go -- did you
09:55:31 3 adhere to the free speech zone, or did you protest
09:55:33 4 where you wanted to?

09:55:33 5 A. I adhered to the free speech zone.

09:55:36 6 Q. Okay. And subsequent to Kuba, have you
09:55:38 7 been out to the Cow Palace?

09:55:38 8 A. Yes.

09:55:40 9 Q. To protest?

09:55:41 10 A. Yes.

09:55:41 11 Q. And do they still keep a free speech zone?

09:55:43 12 A. They did initially right after, I think a
09:55:49 13 year, maybe two years. I don't remember.

09:55:50 14 Q. And to your memory, there is none now, or
09:55:54 15 there hasn't been at later protests?

09:55:57 16 A. I've been out there, and I haven't seen a
09:56:00 17 free speech zone.

09:56:00 18 Q. Okay. What's your understanding of your
09:56:02 19 obligation to stay in a free speech zone?

09:56:06 20 A. My understanding is if I think it's
09:56:15 21 illegal, I will challenge it. If I don't want to
09:56:17 22 get arrested at that moment, then I will abide by it
09:56:21 23 and then challenge it after. That's my
09:56:23 24 understanding.

09:56:23 25 Q. Okay.

JOSEPH CUVIELLO
FEBRUARY 20, 2024

JOB NO. 843103

10:02:24 1 But you had moved down into the area near
10:02:27 2 the ticket booths alongside the road and stood in
10:02:29 3 the road handing out pamphlets. Do you agree that's
10:02:32 4 a general description of things leading up to the
10:02:34 5 interaction with law enforcement in 2022?

10:02:37 6 A. Yes.

10:02:37 7 Q. All right. On the day of the incident, had
10:02:44 8 you ever interacted with Kevin Hart, the park
10:02:47 9 ranger?

10:02:48 10 A. Prior to --

10:02:50 11 Q. Prior to the day of the incident.

10:02:52 12 A. No.

10:02:52 13 Q. Had you ever seen Kevin Hart in any law
10:02:57 14 enforcement role prior to the day of the incident?

10:02:59 15 A. No.

10:02:59 16 Q. When I say Kevin Hart, do you know who I am
10:03:05 17 speaking about?

10:03:06 18 A. Yes.

10:03:06 19 Q. That's the man in the park ranger shirt,
10:03:13 20 somewhat of a burly man, and he is the one who was
10:03:17 21 interacting with you at the moment in time the
10:03:22 22 sheriff's deputies came over and were speaking with
10:03:25 23 you as well?

10:03:25 24 A. No.

10:03:26 25 Q. Okay.

JOSEPH CUVIELLO
FEBRUARY 20, 2024

JOB NO. 843103

10:03:27 1 A. He was not -- he didn't come over to speak
10:03:29 2 to me while the sheriff's deputies were talking to
10:03:32 3 me. He came over with the sheriff deputy after the
10:03:34 4 sheriff deputies had already talked to me.

10:03:38 5 Q. Okay. Good. Thank you.

10:03:39 6 When -- what did Hart say to you when he
10:03:47 7 first interacted with you?

10:03:48 8 A. I don't remember his specific words, but it
10:03:51 9 was basically "We have a free speech area, and you
10:03:54 10 need to go into the free speech area."

10:03:57 11 Q. Okay. Did he use the word he was going to
10:04:00 12 arrest you?

10:04:01 13 A. No. He avoided that word, actually, when I
10:04:04 14 asked him what would happen if we don't go there.

10:04:07 15 Q. Okay. What did he say?

10:04:08 16 A. "It won't be good."

10:04:09 17 Q. What did he mean?

10:04:10 18 A. I don't know what he meant, but I know how
10:04:14 19 I took it, and that was that if you don't go over
10:04:17 20 there, you're going to be arrested.

10:04:19 21 Q. Okay. Did he say he was going to arrest
10:04:21 22 you?

10:04:21 23 A. No. At the time, I didn't even know he had
10:04:24 24 that power, to be honest with you. That's why I
10:04:24 25 talked to Deputy Mayfield.

JOSEPH CUVIELLO
FEBRUARY 20, 2024

JOB NO. 843103

10:04:24 1 Q. Do you know if he had that power?

10:04:26 2 A. Now I understand he does, but I didn't know
10:04:29 3 at that time.

10:04:29 4 Q. What power did he have to arrest you on?

10:04:32 5 A. My understanding is the rangers of the HARD
10:04:36 6 department have power of law enforcement.

10:04:39 7 Q. Okay. Do you know that for a fact, or
10:04:42 8 that's just what you've read in case authority or
10:04:44 9 taken from it?

10:04:44 10 A. No, no. It's not case authority. I think
10:04:45 11 I've read it on HARD's website.

10:04:47 12 Q. Did you read anything about it being on
10:04:50 13 HARD's website that they have citation power under
10:04:53 14 ordinance for ordinance violations in the recreation
10:04:55 15 and park area?

10:04:56 16 A. I don't recall specifically, but my
10:05:01 17 understanding was it was just on HARD property, if
10:05:04 18 that's what you're asking.

10:05:05 19 Q. No, I'm not. I'm asking what your
10:05:08 20 understanding is of what they can arrest you for.

10:05:11 21 A. My understanding is they just have power of
10:05:19 22 law enforcement on HARD property. So whatever -- if
10:05:22 23 there was somebody breaking a law on HARD property,
10:05:24 24 they could arrest them. That was my understanding.

10:05:25 25 Q. Did he tell you any law he would arrest you

JOSEPH CUVIELLO
FEBRUARY 20, 2024

JOB NO. 843103

10:05:28 1 for if you did not go back to the free speech area?

10:05:31 2 A. No.

10:05:32 3 Q. So you don't know what he was referring to
10:05:34 4 in terms of a violation of law when he said -- what
10:05:39 5 were the words again?

10:05:40 6 A. He said it won't be good if I didn't -- if
10:05:42 7 we didn't go over there. Yeah.

10:05:44 8 Q. And you have no idea what that referred to
10:05:47 9 in terms of a violation of law?

10:05:49 10 A. I can't speak for him. I only know how I
10:05:53 11 took it.

10:05:54 12 Q. Okay. All right.

10:05:55 13 MS. BLOME: Can I interrupt and suggest we
10:05:57 14 take that break? I need a --

10:06:00 15 MR. ALLEN: Well, let me finish this --

10:06:00 16 MS. BLOME: Sure.

10:06:02 17 MR. ALLEN: -- this quick line of questions
10:06:04 18 because I think it's going to wrap up Mr. Hart.

10:06:07 19 MS. BLOME: Oh, okay.

10:06:07 20 BY MR. ALLEN:

10:06:08 21 Q. Did he use words such as "I'm going to
10:06:11 22 detain you for not moving back up to the free speech
10:06:15 23 area"?

10:06:16 24 A. No.

10:06:16 25 Q. And did he use -- did he physically touch

JOSEPH CUVIELLO
FEBRUARY 20, 2024

JOB NO. 843103

10:06:19 1 you?

10:06:19 2 A. No.

10:06:19 3 Q. And at this point, Deputy Mayfield was
10:06:26 4 standing with him?

10:06:26 5 A. Yes.

10:06:27 6 Q. Did Deputy Mayfield say anything that if
10:06:31 7 you don't follow his instructions, you're going to
10:06:34 8 be arrested?

10:06:34 9 A. He said, "You could be arrested."

10:06:36 10 Q. Deputy Mayfield said that?

10:06:37 11 A. Yeah.

10:06:38 12 Q. Did Mr. Hart at any time say anything --
10:06:42 13 "That's right. You could be arrested. I could
10:06:44 14 arrest you" or anything like that?

10:06:46 15 A. He never said that.

10:06:46 16 Q. Did --

10:06:54 17 A. Nor did he say, "You won't be arrested."

10:06:56 18 Q. But you don't know what he meant other than
10:06:59 19 you had a way you took it?

10:06:59 20 A. All I know is they were together trying to
10:07:03 21 get me to go to the free speech area. That's what I
10:07:06 22 know.

10:07:06 23 Q. Other than the fact that he was wearing a
10:07:08 24 park ranger shirt, did he tell you he was law
10:07:11 25 enforcement?

JOSEPH CUVIELLO
FEBRUARY 20, 2024

JOB NO. 843103

10:07:11 1 A. No.

10:07:11 2 Q. Did he tell you he was a police officer?

10:07:13 3 A. No.

10:07:13 4 Q. Did he tell you that he was an employee of
10:07:17 5 the Alameda Sheriff's Department as a sworn police
10:07:20 6 officer or law enforcement officer?

10:07:20 7 A. No.

10:07:21 8 Q. And again, we have the video, so we know
10:07:28 9 the timeline, and I think we could -- hopefully
10:07:31 10 we're going to have an agreement on the language
10:07:33 11 that was used.

10:07:35 12 After this interchange with -- the initial
10:07:39 13 interchange with Hart, did he say anything more to
10:07:43 14 you regarding what he could do, would do, might do,
10:07:47 15 or what you took as he meant he would do?

10:07:51 16 A. You mean after this interchange ended?

10:07:57 17 Q. Right. Was there further conversation to
10:08:00 18 suggest he was going to take some form of law
10:08:03 19 enforcement action against you?

10:08:03 20 A. No. That was the only time I had
10:08:05 21 interaction with him.

10:08:06 22 Q. Okay. In the video, it appears that he
10:08:10 23 walks away from you. Is that what he did?

10:08:12 24 A. Yes.

10:08:12 25 Q. You stayed in the road where you were?

JOSEPH CUVIELLO
FEBRUARY 20, 2024

JOB NO. 843103

10:09:07 1 A. Are you going to go to the free speech
10:09:10 2 area.

10:09:10 3 Q. Right. I'm sorry. Were you present, or is
10:09:12 4 that something you saw on the video?

10:09:14 5 A. I was present.

10:09:17 6 Q. Okay. Did he say anything else than that,
10:09:20 7 ask that question?

10:09:20 8 A. I don't remember anything after that.

10:09:24 9 Q. Okay. Did you ever hear him use words to
10:09:27 10 those people that "You're going to be arrested if
10:09:29 11 you don't go there"?

10:09:30 12 A. I never heard that.

10:09:31 13 Q. "You're going to be detained"?

10:09:33 14 A. I never heard that.

10:09:34 15 Q. "You're going to be cited"?

10:09:35 16 A. No.

10:09:36 17 Q. Did you ever see him physically escort
10:09:38 18 anybody away that was part of your protest group?

10:09:43 19 A. No.

10:09:43 20 Q. Did he ever physically move you away?

10:09:46 21 A. No.

10:09:47 22 Q. Did he ever physically move Ms. Bolbol
10:09:50 23 away?

10:09:50 24 A. No.

10:09:51 25 MR. ALLEN: Okay. You wanted to take that

JOSEPH CUVIELLO
FEBRUARY 20, 2024

JOB NO. 843103

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REPORTER'S CERTIFICATION

I, April Wood Brott, Certified Shorthand Reporter
in and for the State of California, do hereby certify:

That the foregoing witness was by me duly sworn;
that the deposition was then taken before me; that the
testimony and proceedings were reported stenographically
by me and later transcribed into typewriting under my
direction; that the foregoing is a true record of the
testimony and proceedings taken at that time.

IN WITNESS WHEREOF, I have subscribed my name
on this date: February 27, 2024.



April Wood Brott, CSR No. 13782